REMARKS

Reconsideration and removal of the grounds for rejection are respectfully requested. Claims 1-46 were in the application, claims 1-15 and 17 were withdrawn, claim 16 was cancelled and claims 18-46 have been amended.

The examiner objected to claims 18 and 33 for various grammatical deficiencies. Each of claims 18-46 has been reviewed and amendments made to clarify the applicants' invention. For example, claim 18 now refers to the "received invoice" "intermediate invoice" and "final invoice" so as to clarify the manner in which the invoice is processed in accordance with the present invention.

In addition, awkward phrasing and repetitive language has been removed, and an effort made to conform the claims to proper U.S. format, again for clarity. It is believed that these clarifications further distinguish the claims from the cited art.

The Examiner rejected claims 18 and 33 under 35 USC 112, first paragraph, as failing to provide support for the processing in the router itself. The examiner is referred to page 5, lines 24-28 which identifies the inventive apparatus as "an intelligent router", which "performs both routing and signal format conversion. At most, the intelligent router 5 comprises an input signal conversion process 6, 7 for each data transmission process 1,2, a routing implementation 8 and an output signal conversion process 9, 10 for each data receiving process 3,4." Given support in the specification, the examiners' rejection of claims 18 and 33 was incorrect. It should be noted that the language of claims 18 and 33 has been amended for clarity and for clarity some of the offending language has been removed.

The rejection of claims 18-46 under 35 USC 112, second paragraph has been rendered moot by the amendments referenced above.

Claims 18 and 33 were rejected as being obvious under 35 USC 103(a) over Francis, U.S. patent no. 6,426,592 in view of Pasetes, U.S. Patent no. 5,202,977.

To establish a prima facie case of obviousness based on a combination of

references, there should be some teaching, suggestion or motivation in the prior art to make the specific combination that was made by the applicant. In re Raynes, 7 F.3d 1037, 1039, 28 U.S.P.Q.2D (BNA) 1630, 1631 (Fed. Cir. 1993); In re Oetiker, 977 F.2d 1443, 1445, 24 U.S.P.Q.2D (BNA) 1443, 1445 (Fed. Cir. 1992). However, the search for a teaching or suggestion should not be rigid, and a more flexible approach to a determination of obviousness should be used so as to avoid a conflict with common sense. KSR International Co. v. Teleflex Inc. et al, 2007 U.S. Lexis 4745 U.S. Supreme Court, April 30, 2007. In this decision, however, the Supreme Court reaffirmed that obviousness can not be established by a hindsight combination to produce the claimed invention. In re Gorman, 933 F.2d 982, 986, 18 U.S.P.Q.2D (BNA) 1885, 1888 (Fed. Cir. 1991). It is the prior art itself, and not the applicant's achievement, that must establish the obviousness of the combination.

The applicants' invention concerns electronic invoicing, and the problem with regards to the different invoicing formats used by the person sending the invoice and the person receiving the invoice.

For instance, a first business sending an invoice to a second business might put information on their invoice which is not used by the second business. This information might include a reference number, invoice number, the person sending the invoice from the first business, the bank account details of the first business, the type of currency of the first business as represented on the invoice, etc. The billing software used to prepare and issue the invoice may be in any of a number of electronic formats, and so the format used when issuing the invoice may be different from the format used by the receiving business.

Thus, simply emailing the invoice to the second business would require the second business to spend time deciphering the received invoice, to extract the details of the invoice for input onto their computer system in accordance with their own electronic invoicing system, in order to post the invoice for payment.

The present invention solves this problem by using an intelligent router disposed in an electronic network between the first and second businesses. The router is

capable of deciphering the first businesses invoice so as to extract the relevant data, which is used to convert the received invoice into an intermediate invoice in a form selected based on the sender of the invoice, the intermediate invoice being in a form suitable for conversion to another form for use by the second business. Thus, upon receipt of an invoice, the router processes the invoice into an intermediate invoice in a form which is dependent on the identity of the first business. Next, the router processes the intermediate invoice to convert this into a final invoice in a form which is selected dependent on the identity of the second business, that is, the business being invoiced. The final invoice is then transmitted to the second business destination.

All the processing and invoice conversions take place in the router, independent of either the first or second businesses. As a result, the process is transparent to each business, that is, neither business has to devote time to deciphering or translating these invoices into another form, and each business can continue with their choice of electronic invoice processing systems. The intelligent router completes the necessary form conversions so that both businesses can transmit and receive invoices without unnecessary internal processing.

Furthermore, the data in the invoice sent by the first business is electronically processed, that is, it is read electronically during the conversion process, and so any errors that might occur during manual entry of the data into the second businesses' computer system will no longer occur

Claims 18 and 33 are believed to clearly distinguish the applicants' invoice routing apparatus and method of routing invoices, respectively from the prior art.

Francis (US 6426952) is directed to a multi interface point-to-point switching system having an internal universal signal format. In particular, column 9 lines 12 to 22 describe a data transfer protocol insensitive first device which can receive a plurality of signals of respective signal types. These signals are converted into a common signal format and the data in the common signal format is transmitted to a second device which reconverts the common format signals back to the signals of the respective signal type. In addition, in column 13 lines 8 to 15, Francis describes a switching system

which includes a first device for converting the first signal in a respective format to a single signal format. A second separate device delivers the first signal in the single signal format to a third device which regenerates the first signal to provide content independent point-to-point connection.

In other words, Francis is concerned with the transmission of data over a network between nodes or routers. Data entering the network in a first format is delivered to a reception point in the same format in which it was transmitted. However, during transmission over the network the format of the data format can be changed. This is quite different from the present invention which concerns transmitting an invoice containing data in a first format, receiving that invoice at a router, converting the received invoice to an intermediate invoice in a form selected in relation to the sender of the invoice, then, converting the intermediate invoice to a final invoice in a form selected in relation to the party being invoiced, so that the final invoice is in a form readily usable by the party being invoiced. All data processing and conversion takes place on a single router, saving both the sender and receivers from having to convert the invoices into different formats. Thus, the invention can receive and process invoices in various formats, dependant on the source, and then send the various converted invoices in different formats dependant on the destination of the invoice. Francis has no such capability, nor is their any teaching or suggestion which would lead one to the "intelligent" router of the applicants invention.

US 5202977 (Pasetes) describes a computer implemented system for translating electronic data within a computer system from a first format to a second format, including the steps of a) determining which one of a plurality of communication protocols to utilize to receive data as a function of a communication process used to transmit the data to the computer system, b) receiving the input data as a unit of work in a first format, the data comprises a plurality of data components, c) assigning a script name to the unit of work to identify a de-enveloping procedure that will be used to separate the plurality of data components of the received data into individual data components, the de-enveloping procedure identified being dependent on the

communication process used to transmit the data to the computer system, d) dividing the received data into individual data components by executing the identified de-enveloping procedure, e) translating the individual data components from the first format into a second format which is chosen to be compatible with a desired destination for the data; and f) arranging the individual data components into a package so that the package is available for transmission at any time by the computer system to the desired destination.

Such a computer based system would thus inherently be associated with one or the other of the two computer systems that are exchanging data files. The system essentially provides conversion between locally used formats and formats used at a remote station (see column 10, lines 3 to 18), dependant on the communication process. Note that there are only two formats, a first format and a second format, and no intermediate format is provided by Pasetes. There are a number of distinctions from the present invention, and there is no teaching or suggestion which would lead on to modify the system of Pasetes . In other words, Pasetes discloses something that a business would add to its existing computer system in order to enable it to communicate with other computer systems directly, without any intelligent router.

There is no disclosure in Pasetes of the use of a router that operates apart from the computer systems that are communicating, nor more specifically, which handles invoice conversions for a plurality of invoices as accomplished by the present invention.

Given the complexity of the computer based system of Pasetes, one skilled in the art would not consider the system described in Pasetes to be a "router" in the sense of an independent way station. In the present invention, data conversion takes place at the router - there is no data conversion needed anywhere else on the network. Certainly, there is no teaching or suggestion for incorporating Pasetes with Francis as the examiner proposes. Thus, amended claims 18, 33 and the claims depending therefrom are not rendered obvious over the prior art relied on by the Examiner.

Claims 19-20, 23-30, 34-35 and 38-45 were rejected as being obvious under 35

18

USC 103(a) over Francis, U.S. patent no. 6,426,592 in view of Pasetes, U.S. Patent no. 5,202,977, and further in view of Hamlin, EP0928090.

Claims 19-20, 23-30, 34-35 and 38-45 depend from and include the limitations of claims 18 and 33, respectively therein. Hamlin is cited as disclosing storage means. However, even if combined as the examiner proposes, adding storage means alone to the teachings of Francis and Pasetes does not overcome the deficiencies discussed above, and claims 19-20, 23-30, 34-35 and 38-45 are not rendered obvious thereover.

Claims 21-22 and 36-37 were rejected as being obvious under 35 USC 103(a) over Francis, U.S. patent no. 6,426,592 in view of Pasetes, U.S. Patent no. 5,202,977, and further in view of Baudoin, U.S. Patent no. 5,406,557.

Claims 21-22 and 36-37 depend from and include the limitations of claims 18 and 33, respectively therein. Baudoin is cited as disclosing storage means and output processing means to read data in an intermediate form from storage means. However, even if combined as the examiner proposes, adding storage means and means to read data from the storage means to the teachings of Francis and Pasetes does not overcome the deficiencies discussed above, and claims 21-22 and 36-37 are not rendered obvious thereover.

Based on the above, favorable consideration and allowance of the application are respectfully requested. However should the examiner believe that direct contact with the applicant's attorney would advance the prosecution of the application, the examiner is invited to telephone the undersigned at the number given below.

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